

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24926 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- VAISHALI District- Vaishali

CHANCHAL KUMAR @ CHANCHAL KUMAR PASWAN Son of Bhagya
Narayan Paswan Resident of Village - Vaishali, P.S. - Vaishali, District -
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 493/34 of the Indian Penal Code
and 4 and 6 of POCSO Act.

Prosecution allegation, in short, is that the accused persons



committed rape on the victim on the pretext of marriage whereafter he married with the victim but later brought her to her house and later denied to take her back to his house.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner and the victim was in love affairs. On the pretext of marriage, they had established physical relationship. They have already solemnized marriage and are living together. Thus the issue has been settled between the parties. The said fact is evident from the Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -1st-cum- Special Judge, Hajipur, Vaishali in



connection with Vaishali P.S. Case No. 55 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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